

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADVANCED ANALOGIC TECHNOLOGIES,  
INC.,

No. C-06-0735 MMC

Plaintiff,

**AMENDED ORDER DENYING MOTION  
TO DISMISS; VACATING HEARING**

v.

(Docket No. 15)

LINEAR TECHNOLOGY CORPORATION,

Defendants

Before the Court is defendant Linear Technology Corporation's ("Linear") motion, filed April 14, 2006, to dismiss the instant action for lack of subject matter jurisdiction. Plaintiff Advanced Analogic Technologies, Inc. ("AATI") has filed opposition; Linear has filed a reply. Having considered the papers filed in support of and in opposition to the motion, the Court finds the matter appropriate for decision without oral argument, see Civil L.R. 7-1(b), and hereby VACATES the May 19, 2006 hearing.

For the reasons set forth in AATI's opposition, the Court is satisfied that it has subject matter jurisdiction over AATI's declaratory relief claim and that there is no reason to decline to exercise jurisdiction over such claim.<sup>1</sup> Accordingly, the motion to dismiss is hereby DENIED.

Pursuant to 28 U.S.C. § 1292(b), the Court finds the instant order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate interlocutory appeal therefrom may materially advance the ultimate

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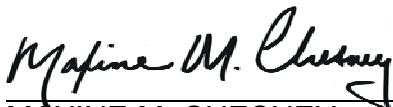
<sup>1</sup> In light of this ruling, the Court has supplemental jurisdiction over AATI's state law claims as well and, consequently, does not reach AATI's argument that the Court has independent jurisdiction, pursuant to 28 U.S.C. § 1338(a), over AATI's state law claims.

1 termination of the litigation.

2 This order terminates Docket No. 15.

3 **IT IS SO ORDERED.**

4 Dated: October 4, 2006

  
MAXINE M. CHESNEY  
United States District Judge